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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,585	12/29/2000	Eric T. Lambert	YOR920000560US1/I27-0005	8383

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EXAMINER

JAKETIC, BRYAN J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,585

Applicant(s)

LAMBERT ET AL.

Examiner

Bryan Jaketic

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 40-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 40, 45-50, 57-62, and 67-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferriter et al in view of Ensel et al. Ferriter et al disclose a system and method for facilitating parts qualification functions in a communications network comprising creating a commodity template for a commodity associated with a supplier part (see Abstract) comprising entering requirements data for qualifying the commodity (see col. 4, lines 11-43); selecting a parts database (10) for storing the requirements

database; and assigning a default viewing tool for qualifying the commodity based upon the database selected (see Figures 2-4).

Ferriter et al do not disclose a technology survey database, a quality information network database, an archive database, or a systems database. However, such databases are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ such databases for storing requirements data, because they would be logical repositories for such information.

Ferriter et al do not teach the step of sharing information with multiple databases. Ensel et al teach the step of sharing data among multiple databases (see Fig. 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Ensel with the invention of Ferriter et al to share data between databases to disseminate data to various entities.

Ferriter et al do not teach the step of establishing access restrictions. However, access restrictions are common in the art and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ access restrictions to prevent unauthorized users from viewing the data.

Regarding claim 45, Ferriter et al teach a parts index relating part numbers established by an enterprise qualifying a supplier part to part numbers used by a supplier being qualified (see, for example, Fig. 4).

Regarding claims 46-49, 57-61, and 67-71, Ferriter et al do not teach the claimed data stored in the databases. However, the claimed data stored in the databases does not perform a function in the method for facilitating part qualification. Therefore, these

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differences are only found in the nonfunctional descriptive material and do not alter the method of facilitating part qualification. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the data claimed in claims 46-49, 57-61, and 67-71, because such nonfunctional data does not patentably distinguish the claimed invention.

4. Claims 41-44, 51-56, and 63-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferriter et al and Ensel et al as applied to claims 40, 50, and 62 above, and further in view of Aycock et al. Ferriter et al and Ensel et al teach all of the limitations as explained in paragraph 3 of this Office Action. Neither Ferriter et al nor Ensel et al teach a plan framework comprising a plurality of tasks, entities responsible for the tasks, or due dates. Aycock et al teach a method of qualifying parts comprising the steps of selecting entities to perform the tasks of providing parts based on maturity requirements (see columns 6 and 7). It is inherent that the maturity requirements include due dates. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Aycock et al with the combination of Ferriter et al and Ensel et al to select a supplier that can meet the users needs.

Neither Ferriter et al nor Ensel et al teach the step of updating the qualification plan. Aycock et al teach the step of updating the part qualification plan with data

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specific to the supplier part (see col. 5, lines 44 through col. 6, line 36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Aycock et al with the combination of Ferriter et al and Ensel et al to allow users to make adjustments to their needs.

Neither Ferriter et al, Ensel et al, nor Aycock et al teach the use of a status box. However, status boxes are common in the art and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a status box to indicate approval status to users.

Response to Arguments

5. Applicant's arguments with respect to claims 40-71 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703)308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bj

